



DO NOT ENTER: /M.D./

PATENT APPLICATION
Docket No. 2553.2.3

**DECLARATION OF MICHAEL M. EVANS
UNDER RULE 132**

1. I, Michael M. Evans, hereby declare that Lewis M. Evans (hereinafter "Lewis") and myself are co-owners of Bartile Roofs, Inc. and its licensor, Evans Brothers Investments, a company of the state of Utah that owns certain trademarks, patents, and patent applications, including the instant patent application; I have a residence at 232 East 1875 North, Centerville, Utah 84014; and I am a co-inventor of the claimed subject matter of U.S. Patent Application Serial No. 10/725,991, filed December 2, 2003 and entitled AGED ROOFING TILE SYSTEM.

2. I further declare that Bartile has been a manufacturer of roofing tiles since 1942.

3. Evans Brothers Investments owns patents and patent applications directed to roofing tiles under which Bartile manufactures concrete, extruded tile.

4. Being familiar with the prior art cited by the examiner, it is my opinion that the instant invention cannot be achieved by such manufacturing processes to provide, at the time of manufacture, the structures of the invention nor its effect of the appearance of moss-overgrown shakes, shingles, or tiles or of lichen-overgrown shakes, shingles, or tiles such as may occur after decades, after a century, or longer of aging in service.

5. A customer delayed the replacement of their roof, because no roofing product could match the look of their old wooden shakes with moss and lichens distributed about in a quaint and random pattern over several decades; in accordance with the instant invention, we obtained several of the actual shakes from the old roof and developed a custom color, pattern, and overall appearance that matched the look of the old roof, a look that was not possible to duplicate in any other technology known to us in the tile industry.

6. Another customer reported that he saw a house roofed with the tile of the instant invention and called Bartile to find out if they knew of the type of roof, or if they made such a roofing product; in speaking with Bartile, his description of the details of the roof, the neighborhood, and the address location described Lewis' own house, and he requested a roof that looked exactly like it and purchased one forthwith.

7. Another customer actually brought rocks to the Bartile facility asking if it would be possible to replicate the look of colors and patterns formed by the rock with its scattered, colorful, aging lichen colonies, which Bartile did with a custom tile made in accordance with the invention.